IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 6th day of April 2005
Bail application no. 250 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Mohan Chandra Joshi
S/o Sri Heera Ballabh Joshi
R/o Village Bhaluti, Jeolikote
P.S. Tallital
District Nainital ..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

Arising out of Case Crime No. 60 of 2005
Under Section 395 I.P.C. and 2/3 Gangsters Act
P.S. Tallital
District Nainital

By the court

Hon'ble B.C. Kandpal, J.

The applicant applied for bail in case crime No. 60 of 2005 Under Section 395 of I.P.C. and 2/3 Gangster Act registered at Police Station Tallital, District Nainital.

Heard Sri R.S. Sammal learned counsel for the applicant, learned A.G.A. and perused the record.

The looted property kept in the truck has not been recovered on the pointing out of the applicant.

Moreover, the offence under Gangster Act also been leveled against the applicant and the only offence against the applicant is under Section 395 of I.P.C. The applicant is in jail since 27.01.2005 and learned A.G.A. could not produce any criminal history of the applicant before me.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Mohan Chandra Joshi be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

06.04.2005
ASWAL